



THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, NY 10007

**MICHAEL A. CARDOZO**  
*Corporation Counsel*

**JESSICA GIAMBRONE**  
Assistant Corporation Counsel  
Labor & Employment Division  
(212) 356-2460  
FAX (212) 788-0940  
jgiambro@law.nyc.gov

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**BY ECF**

Hon. Vera M. Scanlon  
U.S. Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East, 505 North  
Brooklyn, New York 11201

Re: Portelos v. City of New York, et al., 12 Civ. 3141 (RRM)(VMS)

Dear Judge Scanlon:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York ("City"), attorney for defendants in the above-referenced action. On September 20, 2013, the parties appeared before the Court for a telephonic status conference. At that time, among other issues, defendants notified the Court of its desire for a protective order based upon plaintiff's behavior following the exchange of electronic discovery. The Court advised the parties to confer regarding the possibility of entering into a confidentiality agreement. Plaintiff's counsel, today, has responded that he is not interested in entering into such an agreement and advised defendants to make a motion<sup>1</sup>.

Consequently, defendants now write to seek Your Honor's endorsement of a briefing schedule for their anticipated motion seeking a protective order pursuant to Fed. R. Civ. P. 26(c), requiring defendants to file their motion on Friday, October 11, 2013, any opposition would be due on or by October 18, 2013, and any reply would be due on or by October 22, 2013.

Respectfully submitted,

/s/

Jessica Giambrone  
Assistant Corporation Counsel

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<sup>1</sup> Defendants apologize for being in violation of the Court's order to submit a briefing schedule on or before September 30, 2013; this delay occurred as they were hopeful the parties could come to an agreement with regards to this confidentiality agreement.

cc: Bryan Glass, Esq. (By ECF)  
Glass Krakower, LLP  
Attorneys for Plaintiff  
100 Church Street, 8th Floor  
New York, New York 10006  
Phone: (212) 537-6859  
bg@glasskrakower.com